

THE FIRST HAUL OF THE LEXOW NET.

WHEN IN DOUBT Use a World Want Advt. SITUATION ADVTS., 20 WORDS 10 CTS.

Weather: Cloudy, with Showers

PRICE ONE CENT.

NEW YORK, TUESDAY, MAY 22, 1894

PRICE ONE CENT.

Bargains in City and Suburban Real Estate If Advertised in The World

IVES POOL LAW

Declared Constitutional by the General Term of the Supreme Court.

SETBACK FOR MR. DE LACY

Hummel, However, Says the Case Now Before Justice Gaynor Will Be Pressed.

OF APPEALS NEXT

The Whole Question Will Have to Go to That Tribunal for Final Settlement.

The decision of the General Term of Supreme Court yesterday in the Reilly-Gray case that the Ives Pool law constitutional will be received with delight by racing men. The opinion is written by Judge Merwin, the Court

sitting at Utica. The case was that of Thomas D. Rellly, respondent, against Milton C. appellant. Reilly bought \$600 worth of pools at the Saratoga race money back. This was refused and an was brought before Judge Mc-Lennan to recover, on the ground that e law under which the pools were sold

was unconstitutional. A demurrer was interposed, but Judge Which have McLennan held that Reilly was entitled of Vaillant. to recover on the grounds set forth. The case was appealed to the General Term. decision of Judge Merwin is exaustive and quotes many authorities. He defines bets and lotteries, goes over the legal history and then says:

"It seems to me very clear that it was not the intent of the framers of the Constitution, either of 1846 or 1821, in the use of the word 'lottery' to include in it the subject of betting, as then prohibited by statute. They were distinct subjects upon the statute book and in the public mind, and if the design had been to cover both they would have been named. It is not enough to say that named in the public mind, and if the design had both involved to some extent the same kind of evil. It may be difficult to precisely define the difference between the two. It may be said as in People vs. Elliott (74 Michigan, 284, 283), that in betting there is an opportunity for the exercise of reason and judgment, while exercise of reason and judgment, while He defines bets and lotteries, goes over

betting there is an opportunity for the exercise of reason and judgment, while in a lottery there is no such opportunity. "It may be said that betting is not a distribution of property, but an agreement to pay the winner certain sums in a certain contingency, or that the winner shall have certain sums which are deposited as stakes. But be the distinction what it may, it is very clear from the state of the statutory laws in 1846 as well as in 1821, that betting upon a horse race was not then understood to be a lottery.

"That being so, we must assume that it was not meant to be included in the term lottery, as used in the Constitution. The same rule must apply to the pool-selling complained of, as it must be classed with betting, and is a development, a combination in the same line. It follows, therefore, that the constitutional prohibition against lotteries does not apply."

Lawver Abe Hummel, who is De

teries does not apply."

Lawyer Abe Hummel, who is De
Lacy's counsel in the cases against the
race tracks, says he is not much disturbed by the decision of the General
Term

turbed by the decision of the General Term.

"As I understand it," he said to an "Evening World" reporter this morning, "Justice Merwin, in his opinion, did not touch upon the constitutionality of the Ives Pool law. I have a letter from Mr. Miles, who is counsel for the plaintiff in the case on which the decision was rendered, in which he says that decision was reversed because of some informality in the complaint. It was some trifling thing, I believe, in which the plaintiff stated that he lost his money at races without specifying what kind of races, or something similar.

what kind of races, or a copy of the lar.
"We have sent up for a copy of the opinion, and until that arrives we cannot state definitely what course we not state definitely what course we

shall pursue.

"In any event the case before Justice Gaynor will be pressed, and if he should respect the declajon of the upper district courts, then the matter will at once be taken before the Court of Appeals.

"It is better, anyhow, to have the Court of Appeals render a final decision in the matter, for the question has been knocked about in the lower courts too long."

knocked about in the lower courts too long."

One feature of the case decided by the General Term of the Supreme Court that has perhaps been lost sight of, is that the Reilly-Gray suit is a "fake" one. Reilly and Gray are said to be partners in lobbying at Albany, and the story among legislators is that the racing associations have been "shaken down" regularly by a certain Albany cilique.

clique.

The racing associations falled to toe the mark at the expected time one year, and soon after the Rellly-Gray suit made its appearance. Bookmakers and racing men know that neither Rellly nor Gray was a poolseller or a bookmaker at Sar-

counsel, is in Philadelphia, and could not be seen.

District Attorney Ridgway said that he knew of the case which has just been decided by the Utica General Term, but he had not expected a decision so soon. He said that when the De Lacy-Dwyer case is argued before Justice Gaynor on Thursday Judge Merwin's decision will be used, and undoubtedly with effect.

EXPOSED TO CONTAGION.

mall-Pox Suspect Found in Room Crowded with People. Four persons suffering from small-pox were removed to North Brother Island this morning. The victims are: Sara Dale, twenty-eight years old, of 509 West

Dale, twenty-eight years old, of 509 West Twenty-sixth street: Andrew Hall, twenty-two years odd, of 44 Oliver street; James Pawloosi, eighteen years old, of 2196 First avenue, and Joseph Byrnes, five years old, of 51 Madison street.

A man who lives in the house at 509 West Twenty-sixth street was removed to the Reception Hospital, at the foot of East Sixteenth street, yesterday. He walked into the Bureau of Contagious Diseases, 309 Mulberry street, at 11 o'clock yesterday morning. The place at the time was crowded with men, women and children from east-side districts, who were waiting to be vaccinated.

When it was found that the man showed symptoms of small-pox the doors were locked. All the inmates except physicians and attendants were vaccinated and the house fumigated.

WAITE TALKS OF BULLETS.

nd His Adjutant-General Chimes in with a Word on Blood. (By Annociated Press.)

PUEBLO, Col., May 22.-Gov. Waite sold out silver in 1878, with Voorhees and Carlisie in their surrender to the foes of Silver. He advocated coining Mexican dollars to be used as legal tender in days later his engagement to a Miss Colorado.

track, and when he lost, demanded his of the guillotine before he was actually

vent manifestations similar to those which have taken place about the grave

EIGHT CAUGHT IN A RAID.

Devoe Held on the Charge of Keep

1T GIVES CONGRESSMEN UP

General Assembly Won't Try to Re form the National Councils.

(By Associated Press.)

SARATOGA, N. Y., May 22.—At the opening of the Presbyterian General Assembly this morning the Committee on Bills and Overtures presented a partial report. An overture had been received from the Presbytery of New Albany asking the General Assembly to memorialize Congress to enact such regularialize Congress to the personal life made his escape. sembly this morning the Committee on Bills and Overtures presented a partial report. An overture had been received from the Presbytery of New Albany asking the General Assembly to memorialize Congress to enact such regulations with reference to the personal life of their members, as would prevent the presence in the National councils of men of immoral and dissolute habits.

The recommendation that no action be taken upon the subject was adopted by a small positive vote, but without opposition.

LEADER GUNNER RESIGNS.

His Election Contested, and He Re

tires for Harmony's Sake. As a result of the quarrel over the election of delegates to the Republican and he is engaged to-day in a trial be

Mr. Gunner says he retired in the in terest of harmony. Benno Loewy succeed him as leader.

FUNERAL OF MRS. HAGGIN.

Relatives of Her Millionaire Husband Attend the Services. The funeral of Mrs. Haggin, wife of J. B. Haggin, the California millionaire

and turfman, took place this morning

and turfman, took place this morning from St. George's Church, Stuyvesant Square. Rev. Dr. W. S. Rainsford, assisted by the Rev. John N. Lewis, conducted the exercises. There were no pall-hearers.

There were few present besides the members of the family, among whom were M. J. B. Hazgin, Mr. and Mrs. R. R. Leunsberry, Mrs. Ben All Haggin and Mr. Lloyd Feris. The interment was in Woodlawn Cemetery.

WOMAN WORKED THE FIND. Placer Gold Discovered in Paul's

Valley, Okla. (By Associated Press.) GUTHERIE, O. T., May 21.—There is

onsiderable excitement in Paul's Valley considerable execution for the way value over the discovery of placer gold in paying quantities. A woman who formerly lived in the placer region, in Callfornia, has known of the existence of this metal for a long time, but has kept the matter quiet and worked the find, having washed out several hundreds of dollars worth before the secret leaked out. cret leaked out.
Co panies are being organized to develop the find.

This City on April 18.

at Birmingham, Ala.

Betrothed to a Brooklyn Girl When He Fled,

BIRMINGHAM, Ala., May 22.-James H. Parke, son of Henry C. Parke, who disappeared suddenly from New York some weeks ago, was found yesterday by Detective Lombard, of Detroit. Parke was riding on a blind baggage car and the trainmen were about to put him off. His appearance is rough, de-

Parke was known as an exemplary PUEBLO, Col., May 22.—Gov. Waite, young man, and held a responsible posi-n an address here last night, classed tion in the New York office of Parke, Congressman Bland, whom he claims Davis & Co., manufacturing chemists,

sliver. He advocated coining Mexican dollars to be used as legal tender in Colorado.

He expressed the hope that the ballot would soon overthrow the domination of Wall street, but if the ballot were not successful the man who would not bare his breast to bullets was not a man.

Adjt.-Gen. Tarsney made a few remarks, and said that unless something was done the blood spilled when Coxey's men were clubbed in Washington would be the first in a new revolution.

HENRY TO BE CREMATED.

He May Have Died of Heart Shock Before the Blade Fell.

(By Associated Press.)

PARIS, May 22.—A post-mortem examination of the remains of Emile Henry, the Anarchist, who was executed yesterday morning, shows that his heart was so violently affected by the sudden manner in which he was aroused to meet his doom that, according to the physi-

was so violently affected by the sudden manner in which he was aroused to meet his doom that, according to the physicians, he may have died on the bascule of the guillotine before he was actually beheaded.

The Siecle says that the police authorities have ordered the body of the companies that we decided to allow mans to take their own course," said Mr. Clay. "I am sure that, in case the report is true, Mr. Parke, the young man's father, who is now in Detroit, will let us know, but up to the present leg boy."

ng boy."
H. G. Janton, whose sister young

M'CARTHY BROKE A PLEDGE.

Agreed Not to Kiss Matthilds, but

Tried To, and Was Stabbed. John E. McCarthy, of 85 Madison treet, appeared in the Essex Market Police Court this morning with His cheek and scalp had been laid open bail for, it is alleged, selling liquor without a license.

The women were sent to the island
for one month each and also fined \$3.

Devoe, who was formerly a butcher in
Jefferson Market, is said to have been
very wealthy a few years ago.

Bath open and scalp has been into open
in four places last night by Henry
Stetkenee, a harness-maker, of 104 Rivlington s.reet.

Matthilda Berg lives in the same house.
McCarthy called to see her last night
and found Stetkenee there. They

and found Stetkenee there. They started in to sit each other out.

Beer was suggested, and Stetkenee said he would go out with the can if McCarthy wouldn't kiss Matthilda while he was gone.

McCarthy said he wouldn't, and Matthilda said she would keep her hands over her face all the time Stetkenee was out.

blood when the unfortunate fellow made his escape. Stetkenee was held in \$500 by Justice Hogan. Matthilda manifested a plain preference for McCarthy, and marched off with him as Stetkenee was led away.

WELLMAN ALL RIGHT AGAIN.

Appears in Court in a Street Rail way Damage Case.

Assistant District-Attorney Francis L Wellman has quite recovered from his experience with colchicum and emetics. election of delegates to the Republican and he is engaged to-day in a trial becommittee of the Bliss-Patterson faction in the Twenty-second District, John H. Gunner has resigned as the leader of the Committee of Thirty forces.

Gunner's election was contested. The County Committee decided the contest in his favor, but his opponents continued to charge unfairness in the method of his election.

cate." and Mr. Wellman is counsel for the Company.

Mr. Morehead claims that he was riding in his carriage when one of the Company's horse-cars ran him down, smashing his carriage to atoms and injuring tim. He asks \$1.00 for the carriage and \$2.00 for the injuries he sustained.

Mr. Wellman sald about his experience: "It was colchicum, not chloral, that I overdosed myself with. It seems very funny, but it operated on me like the croton oil taken by Dr. Brandt. It was very dangerous, but after I got rid of it slept for thirty-six hours. I am a little weak and sore across my chest from retching, but otherwise I am all right."

NEGRO FIEND LYNCHED.

He Stabbed a Georgia Girl and Then Shot Her Father.

(By Associated Press.) teen-year-old girl amed Smith, who at-tends a Sunday-school four miles from her home, in Colquitt, was attacked las Sunday by a negro. After a desperate struggle her assailant drew a knife and stabbed her in the side, after which he stabbed her in the side, after which he drew a pistol and fired it overhead. Her father appeared at this time, and the negro turned and fired several shots into his body. Mr. Smith is badly wounded and will probably die.

The Sheriff succeeded in capturing the miscreant, who was positively identified by the young lady and her father when brought into their presence. Vesterday morning a crowd of about fifty men took the negro from the jail to the woods, hanged him from a tree and riddled his body with bullets.

YOUNG PARKE FOUND. STORM YET WITH US.

Mysteriously Disappeared from And Forecaster Dunn Promises Little Immediate Relief.

Detective Discovers Him on a Train Another Drowned Sailor Washed Ashore on the Jersey Coast.

> Railroad Travel Impeded and Wreck Caused by a Washout.

The severe storm which has been rag ing since Sunday still continues morning, and while the wind had decreased somewhat in force, there were no indications of clearing weather. The wind continued from the eastward, and along the coast the sea still ran high. The three-masted schooner reported anchored off Long Branch yesterday re mained in the same position. not appear to be in any danger, and was riding easy. A despatch received this morning from Sandy Hook say that the life-saving people reported the coast clear, and with the exception of this schooner, nothing was in sight. At Quarantine this morning the water

weather continued very thick, however, and the only fresh arrivals were the British steamship Sorrento, from Antwerp; the German tank steamer Mannheim, from Hamburg, and the new Norwegian steamship Colombia, from Bocas del Toro.

The Red Star steamship Rhynland, from Antwerp, is due to-day.

The Western Union Telegraph Company still reports great trouble with the wires on account of the storm. There is much improvement in the wires to-day as compared with yesterday, however, especially in the South, in New Jersey, all along the coast south of Long Branch, points are reached with difficulty and only after long delays.

Communication is very bad throughout Pennsylvania, and Wilkesbarre, Lock Haven and the flooded regions are only reached now by one wire. The northern central part of the State is also in bad shape.

Local Forecast Official Dunn was unable to offer consolation of any kind.

"It will not rain steadily all day long," he said, "nor will it rain continuously all day to-morrow, but we will get the next thing to it. It will rain many times during the day, to-night and to-morrow—the kind of showers which keep one on the tiptoe of expectancy, looking for the sunshine, and just when the rain seems to let up for good it will come down again.

"It is the most uncertain kind of worther "added Mr. Deep."

the rain seems to let up for good it will come down again.
"It is the most uncertain kind of weather," added Mr. Dunn, "and the same unsettled condition exists all over the Central and Middle States. The high winds, however, are about over. The highest velocity during the night was twenty-five miles an hour. Now, it is fairly calm and will probably continue."

THE FLOODS RECEDING.

Gains Are Still Reported.

PHILADELPHIA, May 22.-Reports from Williamsport and the territory north of there this morning indicate that the water is falling as rapidly as it rose. It has ceased raining, and the Palmyra, on the Amboy division of the danger may now be regarded as past The Western Union Telegraph operators got back into their office this morn ing, and communication with the outside

world has been resumed. At Renovo, Lockhaven, Bellefonte Clearfield and Driftwood the water has receded, and the work of clearing away

Clearfield and Driftwood the water has receded, and the work of clearing away the debris has begun.

JOHNSTOWN, Pa., May 2.—A statement of losses caused by the flood, given out to-day, is as follows: Pennsylvania and Railroad, \$5,000; Woodvale property, \$5,000; pottery of H. Swank & Son, \$3,000; S. Cambria Iron Company, \$10,000; business men and property owners in Johnstown, \$10,000; the city, \$10,000; McConnaughey \$10,00

Railroad Service Crippled. ATLANTIC CITY, N. J., May 22.-The storm during the previous twenty-four hours. The South Jersey Railroad has been hadly crippled by its tracks having been submerged and serious washouts having occurred along the read between Cape May. Camden and this place.

The tracks of the South Jersey road crossing the meadows here, are completely under water and trains could not run this morning. Railroad travel to Cape May has been cut off on account of heavy washouts. Great damage has been done to the growing crops in South Jersey. uring the previous twenty-four hours. The South

Camden Streets Flooded. CAMDEN, N. J., May 22.-The heavy roll and high tide of the past twenty-four hours has caused much damage along the water front in this city. and Kaighton avenue. The press-rooms of the Courier and Post are flooded and this serious; interfered with the issue of the papers. Manchickens have been drowned by floods in the suburban districts.

Tug Damaged at Cape May. CAPE MAY, N. J., May 22.-An unknown by the storm. The Volunteer life boat crew has

Bayonne's Unknown Dead. BAYONNE, N. J., May 22.- The bodies of the One is that of a boy about eight years of ego.

And What a Big Fish It Is that They Have Landed.

ANOTHER DROWNED SAILOR

Washed Ashore at Highland Beach, N. J., This Morning.

SEABRIGHT, N. J., May 22,-The body of another drowned sailor was washed shore at Highland Beach this morning foroner Fisher, of Atlantic Highlands, has been notified to take charge of the

The New Jersey Southern tracks between Normandie and Atlantic Highlands are badly washed out or covered with sand. There have been no trains north of Seabright since yesterday. The lawns in front of the handsome Summer cotages have been damaged by the sea and wreckage.

The three-masted schooner which has been anchored off this place since yesterday, is still at anchor, but has not shown any signal of distress.

WRECKED BY A WASHOUT. Pennsylvania Train Demolished and the Engineer Injured.

BORDENTOWN, N. J. May 22.-Extra oal train No. 122 was wrecked at West ng by a washout. The engine and a manufactured demolished.
Engineer Fine, of Camden, was seriously injured.
The bridge over Pensauken Creek, at Palmyra, is badly damaged and unsafe

ter. About twenty of the permits were recalled.
Chairman Oakley, of the Law Committee, announced that a public hearing would be given on the proposed ordinance to exclude trucks from Flfth avenue during certain hours between the months of October and June. May 31, at 1 o'clock, in the Council Chamber.
A resolution was passed asking the Corporation Counsel's advice as to whether the Board could compel the Boulevard line to run through cars and do away with the relay station at Eighty-sixth street. Patrons of the line demand improved traffic.

FIREBUGS AT GRASSY POINT. They Burn Three Barns -- Several

Horses Cremated. (By Associated Press.) NYACK, N. Y., May 22.—Incendiarie. early this morning burned three barns owned by brickmakers near Grassy

erty were burned.

The loss, amounting to \$10,000, is divided among the following firms: McGovern & McGowan, McGuire & Freeman and Hurley & Brophy. \$5,000 for the Loss of a Husband. (By Associated Press.)

NYACK, N. Y., May 22.—In the Rockland County Circuit Court, held at New York City, Iudge Cullen, presiding, a jury last night gave Mrs. Josephine Von Atzinger a verdict of \$5,000 against the New York Central Railroad Company for the loss of her hashand, who was killed by a train on the West Shore road at a crossing south of Havestrew Tunnel lest August.

Guard McGurk Horribly Mangled on the Second Avenue Line.

Slipped Under the Wheels After

o'clock, and orders were given to the nan Fred Peterson was put in charge of the train, and, the signal being given by the tower-man, Engineer George Williams started to push back the train

where it was to be sidetracked.

The train moved onto the middle track, and McGurk wer on the last car, the train backing down. By the time it reached One Hundred and Flifth street it had attained a high rate of speed. In the middle of the block McGurk got on the outside of the gate, closed it behind him and hung for a while on the outside, preparatory to jumping off.

It is one of the Company's orders to its men never to get on or off a train while in motion. Train Despatcher Hurlburt said this morning. Heedless of this order McGurk jumped before the train had stopped. where it was to be sidetracked.

As soon as he struck the wet and slippery planks between the middle and uptown tracks his feet slipped from under him, and his head and upper part of his body fell on the rail of the mid-

under him, and his head and upper part of his body fell on the rail of the middle track.

The wheels passed over him, cutting off his left arm and mangling his head and body aimost beyond recognition. Conductor Schwer saw McGurk's mishap and hastily signalled to the engineer to stop. Three trucks of wheels had, however, passed over McGurk's body before the train could be brought to a standstill. McGurk's body was placed on the engine and taken to the One Hundred and Twenty-seventh street station, to await the arrival of a Coroner. oner.
Train Despatcher Hurlburt said that
no blame whatever could be attached to
the Company, as McGurk violated one
of its orders.

BLOODY FIGHT AT PRIMARY. one Killed and One Fatally Wound ed at Dallas, Cal.

(By Associated Press.) HANFORD, Cal., May 22.-A batt occurred during the progress of a Republican primary in the Dallas schoolouse, about eighteen miles south of here, which resulted in James McCaf-frey being instantly killed by William Ryan, and James O. Ryan, father of William Ryan, being mortally wounded. The riessenger who brings the news of the affray says that a dozen men wer in the battle, and that no less than fits shots were fired. Officers and physiciam i ave gone to the scene of the tragedy.

Pan-American Bi-Metallists. (By Associated Press.)

ere present at the Grand Army Hall to-day when C. Fisks, of Denver President of the Pan merican Bi-Metallic League, called the third invention of that lody to order. Gen. Siephen Pield, of Virginia, Populisi candidate for res-President in the last National campaign, was as chosen as Chairman. To-Day's Gold Shipment.

The steamship Lahn, which sailed for Euro The weather forecast for the thirty-six hours ending 8 P. M. to-morrow is as follows: Cleudy and showery, followed by clearing weather to-day; execrally fair on Wednesday; stationary temperature; northeasterly winds, becoming year. dlowing firms: Ladenburg, Thalmann & Ce

SCARED OFF?

McClave's Ex-Son-in-Law Fails to Show Up at the Lexow Investigation.

Nicell Says the Witness Will Not Dare to Repeat His Lies

COMMISSIONER AGAIN CALLED.

Business, Fortune and Fam-

in-law Granger, who was expected to con-tinue his testimony against Commissioner McClave to-day, was the sensational fea-

When called he did not answer to his name, and from events transpired dur-ing the course of the proceedings, the the Receiver, was again called to the witness chair and examined as to his witness had either fled the town, leav-

In his opinion, Justice Lawrence says that, because Daily did not clearly understand the specifications, is no reason an injunction should issue. He says it would not only be unfair to the city, but also to Newton, the lowest bidder.

MARRIED, THEN LEFT HOME, had a consultation last night, and they had agreed that Granger would never appear before the Committee again.

"I mean," said Mr. Nicoll, correcting himself, "that he would never agree appear before the Committee again in the set and honorable gentlemen. And," he added, "he never will I am convinced." Chairman Lexow said that Granges would certainly be brought before the Committee again if the courts could compel his attendance.

Wants Granger Shut Out.

Mr. Nicoll at once jumped up and told the Committee that he and his cilents had a consultation last night, and they had agreed that Granger would never agree when the would never agree when the wind had agreed that Granger would never again. "I mean," said Mr. Nicoll, correcting himself, "that he would never again the set and honorable gentlemen. And," he added, "he never will I am convinced. "Chairman Lexow said that Granger's testimony be stricken out, but Chairman beaved would certainly be brought before the Committee again if the courts could compel his attendance.

Mr. Nicoll at once jumped up and told the Committee that he and his cilents had a consultation last night, and they had agreed that Granger would never agree where again. "I mean," said Mr. Nicoll, correcting himself, "that he would never agree where and repeat the lies and insults which he offered yeaterday to honest added." he never will I am convinced. "Chairman Lexow said that Granger's testimony be stricken out, but Chairman become the country of the courts of the Committee again if the courts could compel his attendance.

Mr. Nicoll moved that Granger would never agreement. All smooth never all mean," I mean," said Mr. Nicoll, correcting himself, "that he would never agreement agreement agreement agreement agreement hat the city, had

McClave Again Called.

McClave Again Called.

He was first asked about the account he formerly kept as Treasurer and trustee of the Police Pension Fund in the Bank of North America. This had been withdrawn about three years.

Q.—Mr. McClave, you have said that your books show that you made 100,000 in your jumber business in 1892. Where are these books now? A.—They were nearly all destroyed in the firs all my yards in April, 1892.

Q.—Then there is nothing to show now that you made such a profit? A.—Nothing, except my abounts in the bank.

Q.—What hank is that? A.—The Bowery Bank, Q.—How did you usually make deposita thers!

A.—Usually in checks.

(Continued on Third Fage)

WAS GRANGER

DIRECTORS' BAD MEMORIES

ern Pacific Affairs.

The Northern Pacific Railroad inquiry

vas resumed before Master in Chancers

Alfred L. Carey this morning. James B Williams, a former Vice-President of the Northern Pacific and now Secretary to

NO "POST-MORTEMS" NOW.

Contractor Dailey Refused an In-

innetion Against City Officials.

Justice Lawrence, of the Supreme

nying the motion of counsel for John D.

Daily to make permanent the temporary injunction issued by Judge Beach.

Cleaning Commissioner Andrews from carrying out a contract with Lewis H. Newtown for the towing of garbage to

specifications in Justice Lawrence says in his opinion, Justice Lawrence says that, because Daily did not clearly understand the specifications is no reason an injunction should issue. He says it would not only be unfair to the city, but also to Newton, the lowest bidder.

ground of abandonment.

The couple were married March 17 last. Yule makes no defense and admits the abandonment. He says, however, that he married his wife, perforce, as it were, and that there was an agreement that they would separate immediately after the marriage, and his leaving her was in accordance with that agreement.

leaving ner was in agreement.

In granting Mrs. Yule the decree of separation, Judge Daly gives her permission to move every five years, as her child grows up, for an increase of all-

STEDEKER IN TORONTO.

Return to the Turf Soon.

PROMISED GOFF TO APPEAR.

and Insults.

Questioned at Length Regarding His Ily Expenses.

Police Investigating Committee this

pure maliciousness, or had been from ened off by threatened prosecution for the alleged crimes which

Slipped Under the Wheels After

Jumping from a Moving Car.

Mean Moving Car.

Officials Say He Violated the Company's Rules in So Doing.

Charles McGurk, forty years old, a guard on the Second Avenue "L" road, was run over and killed on the "L" structure, between One Hundred and Fourth and One Hundred and Fourth streets, at 7.80 o'clock this morning.

McGurk was a single man and boarded at 224 East One Hundred and Fith streets, at 7.80 o'clock this morning.

McGurk was a single man and boarded at 224 East One Hundred and Twenty-sixth street. The train by which he met his death is a "short trip," or Canal street train, and is used only during the hand one hundred and Twenty-sixth street. The train by which he met his death is a "short trip," or Canal street train, and is used only during the early morning hours.

After making several trips, the train reached the terminus at One Hundred and Twenty-sixth street at 7.30 o'clock, and orders were given to the conductors to stitutered to the conductors to stitute the conductors t

Capt. Max Schmittberger said he had land, but he took no part in the early proceedings, nor did he exchange any greetings with Mr. Goff when the latter came in.

All members of the Committee took their piaces just before II o'clock. There was a long wait, during which Mr. Goff held a whispered consultation with Chairman Lexow. The lawyer looked

anxious.

It was soon learned that Granger was not in court, and Mr. Goff made the announcement to the Committee that he had seen him at a late hour last night and that the witness was being sought for by the Sergeant-at-Arms. "Granger promised me faithfully that he would be here promptly at 9.30," said Mr. Goff, "and I can't understand his absence." Wants Granger Shut Out.

Return to the Turf Soon.

TORONTO, Ont., May 22.—Leon Stedeker, the bookmaker who welched immediately after the Brooklyn Handicap, is now in this city. He is staying at the Rossin House.

He says he had too many Dr. Rice Winter tickets out at long odds. He declares he did not take in a great amount, but it does not require many winners at 50 to 1 against the books to bankrupt a man.

He expects to be able shortly to return to the turf. He is accompanied by Mrs.

Weather Forecast.

Weather Forecast.

The weather forecast for the thirty-six bours and the case in 1800. Mr. Mc. Mr. Mc. Mr. Mc. Mr. Mc. Mr. Mc. Mr. Mc. Cannot Remember Everything.

Cannot Remember Everything.

This was the case in 1800. Mr. Mc.

This was the case in 1890. Mr. M Clave could not remember who ma out the deposit slips for these lar